IN THE CLAIMS

1. – 56. **(canceled)**

57. **(new)** A packet transmitting apparatus in a communication system for transmitting a packet upon changing over a parameter of a transmit signal in accordance with conditions of a propagation path, and, when the packet cannot be received correctly on a receiving side, retransmitting the packet, comprising:

buffer means for storing one or more transmitted packets with identifying information and a modulation parameter appended thereto;

decision means for deciding a modulation parameter based upon conditions of the propagation path; and

retransmitting means for deleting a packet from said buffer means when a successful reception is sent back for the packet from a receiving side, and for retransmitting the packet, when a reception failure is sent back for the packet from the receiving side, upon attaching identifying information and the modulation parameter prevailing at a time of retransmission, with the retransmission being performed based upon a modulation scheme that conforms to the modulation parameter prevailing at the time of retransmission, wherein said retransmitting means comprises:

comparison means for comparing the modulation parameter appended to the packet to be retransmitted and a modulation parameter conforming to the conditions of the propagation path prevailing at the time of retransmission; and

means for retransmitting a plurality of transmitted packets, which have been stored in said buffer means, as a single retransmission packet upon attaching respective identifying information of the plurality of transmitted packets if a result of the comparison is that the conditions of the propagation path at the time of

retransmission are superior to the conditions of the propagation path that prevailed at a time of a previous transmission.

58. (**new**) The apparatus according to claim 57, wherein said retransmitting means further comprises:

means for retransmitting part of a transmitted packet, which has been stored in said buffer means, as a single retransmission packet upon attaching identifying information if a result of the comparison is that the conditions of the propagation path at the time of retransmission are inferior to the conditions of the propagation path that prevailed at the time of the previous transmission.